



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima Avenue, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

May 25, 2005

Arrowleaf Homeowners' Association
c/o Law Office of Thomas M. Pors
1420 5th Avenue, Suite 2200
Seattle WA 98101

Dear Mr. Pors:

Re: Emergency Drought Change Authorization No. CS4-WRC138366@8

In accordance with the provisions of RCW 43.83B.405, on March 10, 2005, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 173-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

The applicants' existing water rights are subject to curtailment when the Methow River drops below minimum flows as outlined in Chapter 173-548 WAC. Due to a mild winter and low snow pack, it is likely that interruptible water rights on the Methow River will be curtailed this summer. The applicants are requesting to transfer a portion of Water Right Claim (WRC) No. 138366CL to their property in order to prevent injury or loss to new native grass and shrub plantings for conservation/restoration of meadows and wildlife enhancement purposes.

WRC No. 138366CL was originally filed by Wallace R. Campbell with a priority date of June 1904 and claimed the use of 240 acre-feet per year for the irrigation of 60 acres and domestic use. The place of use was said to be within Homestead Entry Survey (HES) No. 181, being within Section 16, T. 35 N., R. 20 E.W.M.

Change Authorization No. CS4-WRC138366@1 was issued on August 18, 2004, and amended on October 21, 2004. That authorization changed the point of diversion to a point of withdrawal located approximately 2200 feet south and 290 feet west from the northeast corner of Section 16, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T. 35 N., R. 20 E.W.M. The well will be the authorized source for a portion of the Claim asserted in WRC No. 138366, being 49 gallons per minute and 10.9 acre-feet per year, for the irrigation of 4.9 acres. The place of use for this portion of WRC No. 138366CL is Okanogan County Tax Parcel No. 8849500023. This right may be exercised from May 1 to October 1, provided water is flowing in the Methow River at USGS Gaging Station No. 12447383 (Methow River above Goat Creek).

This temporary authorization is subject to the following limitations and provisions:

This authorization is for four existing wells located:

- Arrowleaf Well No. 1 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, T. 36 N., R. 19 E.W.M.
- Arrowleaf Well No. 4 being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 22, T. 36 N., R. 19 E.W.M.
- Arrowleaf Well No. 2 being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, T. 36 N., R. 19 E.W.M.
- Arrowleaf Well No. 3 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, T. 36 N., R. 19 E.W.M.

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The instantaneous quantity of water to be withdrawn is limited to 49 gallons per minute.

A total of 10.9 acre-feet of water is authorized under this Emergency Drought Change Authorization for the irrigation of 4.9 acres.

The place of use is described as follows:

Arrowleaf Lots 1A, 1B and 2, part of HES 89, 90, 91, 92, 93, and 94, being within Section 22 through 27, 16 and 16, T. 36 N., R. 19 E.W.M.

The applicant shall only withdraw water under this authorization if water is flowing in the Methow River at the USGS Gaging Station No. 12447383. This information can be obtained by contacting Ecology's Central Regional Office or the USGS Real-time water data web site:
<http://waterdata.usgs.gov/wa/nwis>.

A suitable flow meter approved by the Department of Ecology shall be installed and maintained in accordance with Chapter 173-173 WAC. (Installation, operation and maintenance requirements attached hereto.)

Whenever water is being withdrawn, bi-weekly (every two weeks) readings of the flow meter shall be recorded and maintained by the permittee. These readings shall be documented by time, date, withdrawal rate, and the person conducting the measurements. Copies of these records shall be submitted to the Department of Ecology by November 15, 2005.

Department of Ecology personnel, upon presentation of proper credentials, shall have access at reasonable times, to the records of water use that are kept to meet the above conditions, and to inspect at reasonable times any measuring device used to meet the above conditions.

Withdrawal of water under this authorization may be limited or otherwise regulated in favor of senior rights.

This drought emergency authorization expires on October 1, 2005.

You have the right to appeal this decision to the Pollution Control Hearings Board. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this decision, your notice of appeal must contain a copy of the Ecology decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board
4224 - 6th Avenue SE Rowe Six Bldg 2
PO Box 40903
Lacey WA 98504-0903

Your appeal must also be served on:

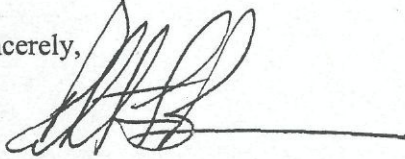
The Department of Ecology
Appeals Coordinator
PO Box 47608

Olympia WA 98504-7608

In addition, please send a copy of your appeal to:

Robert F. Barwin
Department of Ecology
15 W Yakima Ave Ste 200
Yakima WA 98902-3452

Sincerely,



Robert F. Barwin, Section Manager
Water Resources Program
Central Region Office

RFB:gg
050544

Enclosures: Flow Meter Requirements
 Your Right To Be Heard

cc: Carroll Palmer, Director, Natural Resources Division, Yakama Nation
 Lois Trevino, Water Administrator, Office of Environmental Trust, Colville Confederated Tribes
 Curt Hart, Water Resources Program, HQ